

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

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| Case No. | 2:23-cv-07268-CAS-JCx | Date | February 8, 2024 |
| Title | Discover Night, LLC v. Scan Global LLC et al. | | |

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) - MINUTE ORDER

The history and facts of this case are well-known to the parties.

On September 1, 2023, plaintiff Discover Night, LLC (“Discover Night”) initiated this action. Dkt. 1. On November 30, 2023, plaintiff filed its operative complaint against defendants Transgroup Express LLC d/b/a Scan Global Logistics (“Scan Global”), Total Quality Logistics, LLC (“TQL”), Cartage Transport Express Inc. (“CTE”), Joe Cincotta, KG Logistics, LLC, and Ritesh Kumar d/b/a NS Transport (“Kumar”). Dkt. 28 (“FAC”).

On November 9, 2023, Liberty Mutual Insurance Company (“Liberty Mutual”) independently filed a complaint against several of the same defendants (Scan Global, TQL, CTE, KG Logistics, and Ritesh Kumar d/b/a/ NS Transport) as Discover Night’s insurer. See Complaint, Liberty Mutual Insurance Company v. Transgroup Express LLC et al., No. 23-cv-09477 (C.D. Cal. Nov. 9, 2023) (Dkt. 1) (the “Insurance Litigation”).

On January 5, 2024, defendant Kumar filed a motion to dismiss in this case. Dkt. 43. He filed the same motion to dismiss in the Insurance Litigation. See Motion to Dismiss, Liberty Mutual Insurance Company v. Transgroup Express LLC et al., No. 23-cv-09477, at dkt. 15. The Court set the hearing for both motions for February 12, 2024. Id. at dkt. 19; dkt. 47.

On January 22, 2024, plaintiff and defendants Scan Global and TQL entered a joint stipulation to stay this case pending mediation. Dkt. 53. On January 29, 2024, the Court held a scheduling conference where the parties discussed the pending motion to dismiss and stated they were “in the process of circulating an Amended Joint Stipulation to Stay

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Case [P]ending Mediation”; accordingly, the Court found the existing joint stipulation to be moot. Dkt. 54.

On February 6, 2024, Liberty Mutual and Scan Global entered a joint stipulation to stay the Insurance Litigation pending mediation. See Stipulation to Stay Case Pending Completion of Mediation, Liberty Mutual Insurance Company v. Transgroup Express LLC et al., No. 23-cv-09477, at dkt. 25. The parties to the stipulation “request[ed] that the hearing on Defendant Ritesh Kumar’s Motion to Dismiss be continued to April 2024, at a time and date convenient for the court.” Id. at 3.

Given the parties prior indication of their intent to file an amended joint stipulation to stay this case, the Court construes the newly filed stipulation in the related Insurance Litigation as a request for a continuance of the February 12, 2024, hearing on defendant Kumar’s motion to dismiss in this case as well. On the Court’s own motion, the Court continues the February 12, 2024, hearing to April 22, 2024. The Court directs plaintiff to notify the moving defendant about the continuance.

IT IS SO ORDERED.

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| Initials of Preparer | CMJ | | | |